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REPORT TO THE WYOMING STATE BAR

*Barton R. Voigt, Chief Justice**

September 14, 2007

I am pleased once again to report to the State Bar as Chief Justice. This past year has gone by all too quickly, and the judiciary has been neck-deep in projects, but I believe we are keeping our heads above water. I know I will forget something I should be telling you, but here are the highlights:

The remodeling of the Supreme Court building is going better than expected, at least as to timeliness. We have been assured that construction is ahead of schedule, and we anticipate being “back home” by this summer. We expect everything to be grand, but we have some trepidation that modern construction methods and materials simply will not match the simple grandeur of the building as it was. Nevertheless, we have no doubt that it will be much more functional than it was, and that it will serve the people of the State for many years to come. In particular, the courtroom, which will now be located in the center of the main floor, and which will be nearly twice the size of the previous courtroom, will now be the focal point of the building.

One big challenge during the remodeling is reflective of the changing nature of both legal research methods and daily office work. The architects worked mightily to maintain the necessary space for our “paper” library, while making space for our ever-increasing electronic information technology staff. That staff, which used to consist of two people, maintains the computer network for the entire judicial branch, not just the Supreme Court. We now have a network systems administrator, a senior network systems manager, a help desk/network manager for the Supreme Court and Circuit Courts, a network systems manager for the District Courts, a database administrator, a database/software manager, and a software developer. We are trying to hire Bill Gates as our new court administrator.

The biggest project presently being tackled by all of these people is implementation of an electronic case management system at the Supreme Court. That system is now up and running internally in the clerk’s office. The transition into that system, whose trade name is C-Track, was nearly seamless, and we are already deep into the process of developing the electronic filing system that will

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follow. Soon after that, the third phase of the case management system—full electronic case management within each of the five justice’s chambers—will be implemented. All of this should be available for public access and use by the next time I show up for this presentation. Other major projects for the I.T. staff have included replacing the recording systems in all of the circuit courts with digital recording equipment, and cataloguing the electronic needs and wants of the district court judges.

You may have noticed the August 13, 2007, article in the Casper Star Tribune, reporting on the impact of Wyoming’s current economic boom upon the court system. While all of the State has been affected, Gillette, Rock Springs, and Pinedale are particularly busy. During its last session, the legislature funded a new weighted caseload study to allow us to analyze that impact upon the functioning of the courts. The results of that study are just now available. We hope to use the study to determine if, and where, additional judges are needed. I will not bore you with the caseload statistics from the individual courts; suffice it to say that nowhere are the numbers going down. We recognize, and hope to address, the central problem, which is the fact that criminal and juvenile case deadlines continually push civil cases further and further down the docket. Many of our courts are now setting cases well beyond a year down the road—a situation we find unacceptable. As was evidenced over the past couple of years in Casper, a significant roadblock in solving this problem lies in the fact that our state courts are housed in county courthouses, many, if not most, of which, are outdated, undersized, and inadequate. We have no magic solutions.

In our spare time, we have kept busy by “messing with” various court rules and the Bar’s by-laws. A quick synopsis of those changes:

Pursuant to Article I, Section 4(a) of the by-laws, and at the request of the Bar Commissioners, we approved an increase of \$50 to the annual license fee to \$300 for active members and \$187.50 for inactive and new members.

Pursuant to Article X, section dues will now be set by the Bar Commissioners rather than by each section’s members.

Pursuant to Rule 7, the Wyoming State Board of Continuing Legal Education may now consider untimely requests for hardship or extenuating circumstances.

Changes to Rule 10 (penalties), Rule 11 (duties of suspended attorneys), and Rule 12 (reinstatement), cover new admittees, time frames, and the form of petitioning for reinstatement.

New Rule 21 of the Wyoming Rules of Appellate Procedure provides a method for remanding cases to the trial court for hearings on claims of ineffective assistance of counsel.

There is an entirely new section of the rules governing procedure in juvenile courts.

Changes to Rule 6 of the Wyoming Rules of Civil Procedure clarify motion practice, particularly in regard to dispositive motions and the "deemed denied" rule.

And finally, a Revised Uniform Bail and Forfeiture Schedule went into effect on July 1, 2007.

When I last reported to you, District Judges Hunter Patrick of Cody and John Brackley of Sheridan, as well as Circuit Court Judge Sam Soulé of Rock Springs, had just retired. They have been replaced, respectively, by Steve Cranfill, John Fenn, and Dan Forgey. In addition, Curt Haws has replaced John Crow as the Circuit Judge in Pinedale. We welcome these new Judges to the fold and wish them well in tackling their new responsibilities. Probably, we should feel sorry for them, as Sheridan, Cody, Rock Springs, and Pinedale are all growing and changing, and are in the midst of the throes of the economic boom I mentioned earlier.

Finally, I will mention a few of the special projects and initiatives with which we are involved. The federally funded Children's Justice Project continues to operate out of our court. The CJP was instrumental in helping develop the juvenile court procedural rules, and it continues to work with the juvenile courts in attempting to maximize compliance with federally mandated timelines and other goals. We also recognize the need to develop procedures to deal with the ever-increasing number of self-represented litigants and non-English speaking litigants. The Court is also working with the Judicial Nominating Commission and the Commission on Judicial Conduct and Ethics to help members of the Bar and the public better to understand the judicial selection and judicial supervision processes. We are concerned about recent attacks upon the merit selection system, both here and across the nation, and we are cognizant of a perception that judicial supervision is overly confidential.

I will end by thanking you for giving me this opportunity to tell you all a little about what we are doing in the judiciary. Feel free to give me or any of your local judges a call if you believe something needs particular attention in the court system. I cannot promise you that we can fix whatever it may be, but I can promise you that we will listen.